

January 15, 2009

Chris Smith

Chief of Staff for the Director of Montana Fish Wildlife and Parks

Dear Mr. Smith,

We are full-time residents of Montana who have for thirty-one years owned and operated our family ranch on Bear Creek Road east of Cameron, Montana. In the Montana Standard article titled "Brucellosis: Bill would make state pay for testing" dated 1/2/2009, you are quoted saying "Where elk populations are over objective, that is in virtually every case, if not every case, a function of landowners' decisions with respect to allowing access to public hunting." For too many years Montana FWP has blamed elk related problems such as elk over population and their resultant brucellosis contamination on private land owners' decisions. Your comment perpetuates the grossly inaccurate argument advanced by Montana FWP and we are compelled to respond.

In the 1950s the State of Montana acquired land which became the Bear Creek Wildlife Management Area with the specific purpose of providing fall, winter, and spring habitat for elk and deer. Bear Creek WMA successfully provided habitat and hunting opportunities well into the 1980s. During this time, the Bear Creek WMA was closed from December 1st to June 1st. This effective arrangement began to fail as Montana FWP extended the rifle hunting season to approximately Christmas in Hunting District 360. The FWP biologists in Region 3 recognized this failure and tried to resolve it by purchasing a conservation easement from Bear Creek Angus Ranch in 1994. The new elk habitat acquired through easement from Bear Creek Angus Ranch temporarily encouraged elk to inhabit Bear Creek Angus Ranch and Bear Creek WMA. Unfortunately, Montana FWP continued to provide extended hunting seasons in HD 360 and actually lengthened these seasons to February 15th. After the rifle hunting season was extended in HD 360, the Bear Creek WMA closure was changed, and became February 15th to June 1st. After February 15th, antler hunters would trespass with impunity on Bear Creek WMA. Unfortunately, Montana FWP also arbitrarily shortened the Bear Creek WMA closure to be from the end of the extended hunting season to May 1st. FWP biologists explained this change was made so that the reopening date of Bear Creek WMA coincided with the reopening date of Gallatin Canyon WMAs. This constant pressure causes the elk to retreat from the Bear Creek WMA and USFS land.

We live and ranch 1.5 miles west of the Bear Creek WMA and have watched in horror as the elk have become progressively more willing to utilize ranch lands rather than their historic winter range. Each winter when hunting season finally ends, the elk try to leave the private land and rehabilitate Bear Creek WMA only to be pressured off their range by antler poachers or state aircraft counting elk or wolves. The elk then return to ranch lands and the cycle repeats.

Thankfully, the extended elk hunting season ended in 2008 on December 21st. On December 22nd, approximately 40 elk took up residency on the Bear Creek WMA. Each day additional elk join the herd and today approximately 500 elk can be seen on the Bear Creek WMA from our ranch. Unfortunately, the FWP web site indicates an elk management hunt is scheduled in HD 360 from 1/17/09 to 2/13/09. How can FWP run a management hunt in HD 360 when it has had no wildlife biologist in Region 3 since the summer of 2008, through the 2008 hunting season, and to this day?

Progressively, genuine elk hunting opportunities on public land have been replaced by road hunting and flock shooting at massive elk herds on private land. Contemptuous and unethical road hunters demand access to "their" elk. We have had a horse killed and our irrigation equipment damaged. When the massive herds are stampeded, our fences are shredded. When we ask for fence material assistance, FWP heavily handedly insists on more public access. Former FWP Region 3 Wildlife Biologist Craig Jourdanais told us "we live in a wildlife area and we need to get used to it". In April 2008 Jourdanais came to our ranch and we asked him why FWP was pursuing policies that clearly encouraged elk herds to exceed population targets and elk herds to take sanctuary on private ranch lands. He responded that Madison Valley politics was driving FWP decisions. When asked what that meant, Jourdanais said FWP was making sure plenty of elk were available for the outfitting needs of three large ranches in the Madison Valley. Some argue FWP is doing nothing to manage elk herds, others contend FWP is mismanaging elk herds. This is a matter of semantics. FWP policies are confrontational and counter-productive.

Local elk hunters are finding far fewer elk in the Madison Mountains during rifle season. They are disgusted with the elk hunting situation in HD 360 and HD362, and unwilling to be associated or confused with unethical road hunters, have discontinued rifle hunting for elk. We have frequent interaction with unscrupulous road hunters and we invite them to go to Colorado. Can you imagine the economic impact of fewer hunters in Montana? We also have frequent need of game warden service, who in hunting seasons 2007 and 2008 did a superlative job. Perhaps the FWP wildlife division should listen to the comments of the game wardens who see in the field that which we are relating to you.

If Montana FWP truthfully decides to manage the elk herds in southwest Montana according to sound science and honest data rather than maximizing revenue from license sales, i.e. its legislated mandate, a new direction is necessary. Limit the regular rifle hunting season to five weeks for as many years as necessary to allow elk to rehabilitate mountainous public land. Sell as many cow elk tags as the market will bear and make all hunters draw for bull elk tags. Encourage the game wardens to continue the excellent work they do and support them with biologically sound management practices.

Mr. Smith, the ranchers didn't create this mess, FWP did it all by itself and at a minimum, it ought to have the integrity to pay the cost for brucellosis disease testing in areas where elk are over the population objective.

Sincerely,



Robert L. Reck and Marjorie A. Reck
340 Bear Creek Road
Cameron, Montana 59720
406-682-4416

cc: Governor Brian Schweitzer
Acting Director FWP Joe Maurier
Senator Debbie Barrett

January 15, 2009

Senator Debby Barrett
Montana State Senate District 36

Dear Debby,

Enclosed is a copy of our letter to Chris Smith at Montana Fish Wildlife and Parks. I will be unable to attend the hearing for Senate Bill 217, Livestock Reimbursement, on 1/22/09. I authorize you to submit to the Montana Senate Agriculture Committee a copy of the enclosed letter to Chris Smith for written testimony.

Thank you for your good efforts in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Reck". The signature is fluid and cursive, with the first name "Robert" and last name "Reck" clearly distinguishable.

Robert L. Reck
340 Bear Creek Road
Cameron, MT 59720
406-682-4416